

**INSTRUCTIONS FOR COMPLETING MONTHLY
STATISTICAL REPORTING FORM FOR DISTRICT COURTS**

CASES FILED REPORT:

- Column 1. Prior Pending.** This column is the “Current Pending” numbers from the previous month. The number of cases in this column should be taken from column 5 of the previous month.
- Column 2. New Filings.** This column is the new cases filed during the current month for each category of “Cases Filed”. The total number of cases filed during the month should be entered in column 2, distributed as directed in the appropriate category listed below.
- Column 3. Reopened Cases.** This column should contain cases which have previously been reported as disposed but have been reopened during the current month when any significant matter is resubmitted to the court, and requires an evidentiary hearing, whether or not such hearing is conducted. The case should be reported in this column under the appropriate category as described below.
- Column 4. Disposed Cases.** The total number of cases in each category disposed of during the current month should be recorded in this column. This column contains both disposed “New Filings” and “Reopened Cases”.
- Column 5. Current Pending.** These numbers are determined by adding Column 1, “Prior Pending” to Column 2, “New Filings” and Column 3, “Reopened Cases” and subtracting Column 4, “Disposed Cases”.
- Column 6. Appealed Cases.** The number of cases appealed from your court during the current month to the Court of Appeals or the Supreme Court in the appropriate category.
- Column 7. Assigned to County Judge.** The number of domestic relations cases assigned to a county judge. This is not an ongoing count, but rather a one time count of the assignment at the time the petition is filed.

CASES FILED

CRIMINAL:

1. **FELONY FILED. MISCELLANEOUS. MISDEMEANOR.** Count as a separate new case all felony and misdemeanor cases filed, and:
- Each original information is counted as one case.
 - If the defendant is charged with two or more offenses in one information, or in separate informations, count the matter as one case.
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| JUSTICE SUBTYPES | FLNYORIG | Felony Original |
| | CROTHER | Miscellaneous - Criminal Other |
| | MISDORIG | Misdemeanor - Original |

DO NOT COUNT:

- Habeas corpus proceedings. (They are counted as civil/miscellaneous.)

- Search warrants ordered by a county or district judge and filed in the district court after their return.
 - An order authorizing identification procedure for obtaining physical characteristics.
 - An order authorizing a pen register or trap-and-trace device.
 - Motion to suppress.
 - Applications for the appointment of a special county attorney.
 - Proceedings to revoke or change probation. (They are counted as reopened.)
 - Cases remanded from a higher court. (They are counted as reopened.)
 - Juvenile court misdemeanors.
 - Applications for nunc pro tunc orders.
2. **FELONY BINDOVERS.** Count as a separate case each bindover filed from the county court.
JUSTICE SUBTYPE BINDOVER Felony Bindover
3. **APPEALS - TRIAL COURT.** Count as a separate case each criminal misdemeanor appeal filed from the county court.
JUSTICE SUBTYPE APCR County Court - Criminal Contempt/Appeal

TRAFFIC:

1. **APPEALS - TRIAL COURT.** Count as a separate case each traffic appeal filed from the county court.
JUSTICE SUBTYPE APTR County Court - Traffic Appeal

CIVIL:

1. **TORT. CONTRACT. REAL PROPERTY. MISCELLANEOUS.** Count as a separate new case each petition that begins a new civil action of any nature. Break all civil cases down into four categories.
- **Torts:** Allegations of injury or wrong committed either against a person or against a person's property by a party or parties who either failed to do something they were obligated to do or did something that they were obligated not to do. (Automobile accidents, slip and fall, malpractice.)
JUSTICE SUBTYPES NEGMALPR Negligence - Malpractice
 NEGVEHIC Negligence - Vehicular
 NGOTHER Negligence - Other
 - **Contracts:** Disputes over a promissory agreement between two or more parties. (Debt collection, promissory notes, replevins)
JUSTICE SUBTYPES DECJDGMT Declaratory Judgment
 LUMPSUM Lump Sum Settlement
 OPENACCT Open Account
 REPLEVIN Replevins
 SPECPERF Specific Performance
 CONTRACT Contract Disputes
 - **Real Property:** Cases arising out of contention over the ownership, use, or disposition of land or real estate. (Forcible entry and detainer, foreclosures on mortgages, land contracts, landlord-tenant) (Tax foreclosures: regardless of the number of causes of action, each petition filed is counted as one case.)
JUSTICE SUBTYPES DETLND Detachment of Lands
 FRMECHL Foreclosure - Mechanics Lien
 FRMORTGE Foreclosure - Mortgage
 FROTHER Foreclosure - Other
 PARTITION Partition Actions

	QTITLE	Quiet Title
➤	Miscellaneous: Other civil petitions not covered in Torts, Contracts, or Real Property. Habeas corpus, actions to register foreign judgments, will contests or probate claim cases transferred from a county court. (These are not appeal cases from county court.)	
JUSTICE SUBTYPES	ACCT	Accounting
	INJUNCT	Injunctions
	JURYOTHR	Jury Other
	MANDAMUS	Mandamies
	MISC	Miscellaneous
	NAMECHG	Name Change
	REGWORK	Registration of Workmens Comp
	RFORJDGT	Registration of Foreign Judgment
	TJUDG	Transcript of Judgment
	TORT	Tort Claims Act
	SID	Sanitary Improvement District
	GENERAL	General Miscellaneous Civil

DO NOT COUNT:

- Appeals or petitions in error from the county courts or other inferior tribunals as they are reported as appeals. (See Appeal - Trial Court)
 - Applications for a receivership and similar provisional remedies that are part of an ongoing case.
 - Garnishment and execution proceedings, unless a contested hearing is held after issues are joined. (i.e. application to determine liability of garnishee or request for hearing by judgment debtor. Nearly all garnishment and execution contested hearings will be reopened rather than original action.)
 - Mental health filings. Appeals to the court from mental health hearings should be counted as APPEALS - ADMIN AGENCY.
 - Transcribed judgments fro another county.
 - Cases returned to the district court from a federal district court, or bankruptcy court shall be treated as a reopened case.
 - Condemnation/eminant domain proceedings as they are counted separately.
 - Cross petitions, counter claims and set-offs.
 - Third party proceedings.
 - Applications for nunc pro tunc orders.
2. **CONDEMNATION.** Count as a separate case each petition for condemnation or eminent domain filed in the district court by the county court.

JUSTICE SUBTYPE	CONDEMN	Condemnation
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 3. **APPEALS - ADMINISTRATIVE AGENCY.** Count as a separate case each appeal received from an administrative agency.

JUSTICE SUBTYPES	APMNTL	Mental Health
APCOBDEQ	Appeal - County Board of Equalization	
	APMISC	Appeal - Miscellaneous Agency
 4. **APPEALS - TRIAL COURT.** Count as a separate case each civil appeal filed from the county court.

JUSTICE SUBTYPES	APCI	Civil Appeal
	APSC	Small Claims Appeal

DOMESTIC RELATIONS.

1. **MARRIAGE DISSOLUTION. SUPPORT/CUSTODY. PATERNITY. UIFSA. PROTECTION ORDERS. MISCELLANEOUS.** Count as a new case each petition that begins each domestic

relations case including the following actions:

- Dissolution of marriage, separate maintenance, annulment, and legal separation.
- Domestic Abuse and Grandparent Visitation Rights. (Miscellaneous)
- Establish paternity, child support or other actions where the unmarried enforce rights to their children.
- Transferred from other district courts prior to decree.
- Incoming Uniform Interstate Family Support Act (UIFSA), whether to establish support or to register a foreign support order.
- Applications for a protection order.

JUSTICE SUBTYPES	DSSMARR	Dissolution of Marriage
	CJURIS	Uniform Child Custody Jurisdiction
	CTSUPP	Order of Support / Custody / Visitation
	PTRNTY	Paternity
	UPTRNTY	Interstate Paternity Incoming
	ABUSEACT	Protection Orders - Abuse Act
	ANNULMNT	Annulment
	JC	Juvenile Child Support
	LSEPR	Legal Separation and Separate Maintenance
	GPVISIT	Grandparent visitation

JUSTICE UIFSA SUBTYPES	FOSUPP	Interstate Registration of Foreign Judgment
	IIFSUPP	Foreign Order - Income Withholding
	IOWFSUPP	Foreign Order Wage Withhold. Outstate
	UIENF	Interstate Incoming Request for Enforcement
	UIESTAB	Interstate Incoming Request for Establishment
	UOENF	Interstate Outgoing Request for Enforcement
	UOESTAB	Interstate Outgoing Request for Establishment
	UTPTRNTY	Interstate Paternity - Outgoing

DO NOT COUNT:

- Judgments transcribed from other Nebraska Courts.
- Income withholding proceedings.
- Garnishment proceedings, unless a contested hearing is held after issues are joined. (i.e., application to determine liability of garnishee or request for hearing by judgment debtor. Nearly all garnishment contested hearings will be Reopened Cases rather than New Filings.)
- Execution proceedings, unless a contested hearing is held after issues are joined. (Nearly all executions will be Reopened Cases rather than New Filings.)
- Applications for nunc pro tunc orders.
- Outgoing Uniform Interstate Family Support Act. (UIFSA)
- Domestic relations cases assigned to a county judge are counted the same as if they were handled by a district judge and not given a separate count.

2. APPEALS - TRIAL COURT. Count as a separate case each adoption or paternity appeal filed from the county court.

JUSTICE SUBTYPE	APADOPT	Adoption Appeal from County Court
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JUVENILE

1. MISDEMEANOR/INFRACTION. Count as a new case each complaint or petition filed alleging a misdemeanor or infraction. (43-247 **(1)**). Count each traffic case as a separate case. **(4)**

JUSTICE SUBTYPES	1	Misdemeanor / Infraction
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4 Traffic Offense

2. **FELONY.** Count as a new case each complaint or petition filed alleging a felony. **(2)**
JUSTICE SUBTYPE 2 Felony
3. **NEGLECTED/DEPENDENT.** Count as a separate case each petition alleging juvenile is homeless or destitute, without proper supervision, abandoned, lacks proper parental care, or is in a situation dangerous to the juvenile. **(3a)**
JUSTICE SUBTYPES 3AABAND Abandoned
3AABUSE Abused
3AHMLES Homeless / Destitute
3ANEGLT Neglected
3AWYWRD Wayward
4. **STATUS OFFENDER.** Count as a separate case each petition alleging juvenile is wayward, habitually disobedient, uncontrolled by parent, endanger to himself, herself or others, or habitually truant. **(3b)**
JUSTICE SUBTYPE 3B Disobedient
5. **MENTALLY ILL AND DANGEROUS.** Count as a separate case each petition alleging juvenile is mentally ill or dangerous. **(3c)**
JUSTICE SUBTYPE 3C Mentally Ill and Dangerous
6. **PARENTAL.** Count as a separate case each petition against a parent **(5)**, termination of parental rights **(6 and 7)**, or a juvenile relinquished to D.H.H.S. or a child placement agency. **(8)** Although proceedings that occur during the pendency of a case, such as probation revocations and reviews are not counted as a separate new case, a motion or petition for termination of parental rights is the exception. Whether a petition for the termination is the first document filed or comes after other proceedings have occurred, count it as a new filing.
JUSTICE SUBTYPES 5 Parental Jurisdiction
6 Termination
7 Termination / Divorce
8 Voluntary Relinquishment
- If a petition alleges both a status offense (3b) and a criminal offense count it as a MISDEMEANOR/INFRACTION or FELONY.
- Count as a separate new case a case transferred from criminal court.
- DO NOT COUNT:**
- Proceedings to revoke or change probation.
- Review hearings.
- Cases remanded from the appellate court.

REOPENED CASES

A case that has been previously reported as disposed shall be considered reopened when any significant matter is resubmitted to the court, and requires an evidentiary hearing, whether or not such hearing is conducted. Once a case is reopened it cannot be counted as reopened again until all pending actions are completed and closed. It should be reported in one of the following classifications.

1. REMANDS FROM THE SUPREME COURT, COURT OF APPEALS OR DISTRICT COURT.
Whenever a mandate for any type of case is issued from the Supreme Court, Court of Appeals to the district court ordering a new trial or a modification of a judgment, count as a reopened case.
DO NOT COUNT:
 - Mandates which affirm or dismiss a judgment.
2. CRIMINAL. When cases defined under criminal above require any evidentiary proceedings after sentence, the matter shall be treated as a reopened case.

- Proceedings to revoke or change the terms of probation.
- Motions for Post-conviction relief.
- Review hearings on insanity and under the Convicted Sex Offenders Act.
- Applications for reduction of sentence.

DO NOT COUNT:

- Proceedings for the discharge of probationers, for work release, and for house arrest.
- Proceedings to set aside convictions after successful completion of probation.
- Applications for nunc pro tunc orders.
- Motions for a new trial.

3. CIVIL Whenever cases defined under civil above require an evidentiary proceeding, each proceeding shall be counted as a separate reopened case, including:

- Applications for enforcement of a decree by contempt proceedings.
- Bankruptcy cases that are reopened after the proceedings have been stayed.
- Petitions for Sanitary Improvement District Bonds.
- Proceedings to set aside, modify or vacate judgments.

DO NOT COUNT:

- Any of the following unless a contested evidentiary hearing is actually held in open court on the matter.
 - 1) Garnishment proceeding.
 - 2) Execution proceeding.
 - 3) Application or motion for stay of execution.
 - 4) Debtors examination
 - 5) Confirmation of sales.
 - 6) Motion for distribution of sale proceeds, etc.
- Application for nunc pro tunc orders.
- Motions for a new trial.

4. DOMESTIC RELATIONS. Whenever cases described under domestic relations above are reopened and require an evidentiary proceeding, each proceeding shall be counted as a separate reopened case, including:

- Applications for modification of custody or visitation or change of child support or alimony, and similar matters requiring evidentiary hearings.
- Contempt proceedings to enforce decrees on child support, alimony or similar matters requiring evidentiary hearings. If there is only one initiating contempt charge with successive efforts of service of process, count as one matter only.
- Separate maintenance actions converted to a dissolution case after a decree of separate maintenance.
- Cases transferred from other district courts where the court has previously entered a decree and the proceedings are to enforce or modify support.

DO NOT COUNT:

- Once a case is reopened it cannot be counted as reopened again until all pending actions are completed and closed, i.e., contempt proceeding filed and pending then an application to modify is filed.
- Judgments transferred from other Nebraska courts.
- Income withholding proceedings.
- Garnishment proceedings, unless a contested hearing is held after issues are joined. (i.e., application to determine liability of garnishee or request for hearing by judgment debtor.)
- Execution proceedings, unless a contested hearing is held after issues are joined.
- Applications for nunc pro tunc orders.
- Release of lien.
- Motions for a new trial.

5. JUVENILE. Whenever cases defined under juvenile above are reopened after the initial disposition order and require an evidentiary proceeding, each proceeding shall be counted as a separate reopened case.
 - Juvenile review hearings for out of home placements.
 - Request for Juvenile Review Panel.

DISPOSED CASES

1. CRIMINAL. Shall be considered disposed upon the dismissal, acquittal, sentencing, transfer to juvenile court, or reduction to misdemeanor, whichever is applicable.
 - The issuance of an arrest warrant, capias, or the declaration of a bond forfeiture does not constitute a disposition and the case should not be reported as closed.
 - If the defendant is sentenced to probation, and a subsequent hearing is held to revoke this probation, it is not counted as a new case but is counted as a reopened case.
 - If the defendant is sentenced to pay a fine, and is allowed time to pay by installments, the case is regarded as closed upon the date of conviction.
 - Should sentencing be continued until a later date, the case is not closed until sentencing.
 - An extradition proceeding is disposed when the defendant waives extradition or there is a dismissal of the proceeding.
2. TRAFFIC. Traffic appeals from county court shall be disposed when judgment is affirmed, affirmed but modified, or reversed.
3. CIVIL. Shall be considered closed when a judgment is entered, the case is dismissed, or the jurisdiction of the court is terminated by any method including:
 - Transfer to any other court.
 - Stay of proceedings by bankruptcy.
 - Cases that are settled by written stipulation or court order prior to judgment, yet remain within the jurisdiction of the court pending completion of the settlement.
 - Habeas Corpus cases shall be disposed when a final order is entered, or a similar order finally determining the custody of the party involved.
 - Appeals from trial court shall be disposed when judgment is affirmed, affirmed but modified, or reversed.
 - Note: A satisfaction of judgment is not required to close a case.
4. DOMESTIC RELATIONS. Shall be considered closed when a final judgment is entered, the case is dismissed, or the jurisdiction of the court is terminated by any method.
 - A protection order is closed when the court denies the order, issues the ex-parte order, or issues the final order, whichever of the three is later.
5. JUVENILE. Shall be considered closed upon entry of the initial disposition order, which can be any one of the following:
 - Any probation order.
 - An order placing the juvenile, as a disposition, under the custody of any state facility, institution, or agency.
 - Any order terminating parental rights.

DO NOT COUNT AS A DISPOSITION:

 - A temporary placement in a facility pending final disposition.

CRIMINAL/TRAFFIC/JUVENILE DISPOSITION REPORT:

The number of each type of disposition is totaled in the right-hand column, and each column is totaled at the bottom of the report. The number of dispositions should match the number of disposed cases on the Cases Filed Report. Be careful to make sure the numbers added from the Cases Filed Report are the same as shown on this report.

1. **FELONY - MISDEMEANOR**

- A felony transferred to a Juvenile court is counted as **“Transferred to Juvenile”**, and added as a new case filing in the juvenile category.
- A **“Guilty Plea in Court.”** occurs after a defendant enters a guilty or no contest plea after being arraigned or changing a plea.
- Once a trial has commenced by either opening statements being given or waived, count the case as **“Tried to Court.”** or **“Jury Impaneled.”** It makes no difference if the defendant changes his/her plea while the trial is in progress.
- Only count it as a **“Jury Impaneled”** case after voir dire is completed, the jury is sworn in, and opening statements have occurred or been waived.
- Multiple counts: Since there is only one case counted when there are multiple counts, there can only be one disposition counted in the statistics.. If there is a trial on any one of the counts, count it as **“Tried to Court.”** If there is no trial but there is a guilty plea on any one of the counts, count it as **“Guilty Plea in Court.”** If all counts were dismissed by the prosecutor count it as **“Dismissed by Prosecutor”**. If the case was dismissed by the court prior to trial count it as **“Dismissed by Trial Court Prior to Trial”**. Do not make your count until there has been a disposition on all counts.

2. **JUVENILE**

- Shall be considered closed upon the entry of the initial disposition order, which includes placing the juvenile on probation, an order placing the juvenile under the custody of any state facility, institution, or agency, or any order terminating parental rights. At this time, all juvenile dispositions shall be counted as **“Guilty Plea in Court.”**

DO NOT COUNT:

- Do not count a temporary placement in a facility pending final disposition as an action that closes the case.

CIVIL DISPOSITION REPORT:

The number of each type of disposition is totaled in the right-hand column, and each column is totaled at the bottom of the report. The number of dispositions should match the number of disposed cases on the Cases Filed Report. Be careful to make sure the numbers added from the Cases Filed Report are the same as shown on this report.

1. **CIVIL. SMALL CLAIMS. PROBATE. DOMESTIC RELATIONS. APPEALS FROM TRIAL COURT/ ADMINISTRATIVE AGENCY.**

- When a default judgment is entered and it is reported as **“Uncontested/Default”**, and subsequently the default judgment is set aside, do not report it any further. If the judgment is set aside before you report it, do not report the default but do report the ultimate disposition. An uncontested divorce shall be closed as **“Uncontested/Default”**.
- When a suggestion of bankruptcy is filed, report it as **“Suggestion of Bankruptcy”**. If the case is subsequently reopened, count it as reopened case.

JURY IMPANELED - CIVIL AND CRIMINAL

JURY TRIALS. “JURY IMPANELED/VERDICT ISSUED”. In this category you should report:

- All criminal cases where the guilt or innocence of the defendant was determined by a jury.
- All civil cases where judgment was rendered on a verdict.

JURY TRIALS. “JURY IMPANELED/DISPOSED PRIOR TO VERDICT”. In this category you should report:

- All cases where a jury was impaneled (selected, sworn and some evidence adduced) and the case was disposed prior to the verdict, including cases disposed on a motion for a directed verdict or where the case was settled during the trial by the parties.